

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office MAY 23 2005

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAY 23 2005

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The applicant **City of Wells** hereby makes **1** application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **underground**
2. The amount of water applied for is **1.8902** second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **municipal**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **North 73° 54' 11" East 2014 feet from the South One Quarter Corner of Section 9, Township 37 North, Range 62 East, MDB&M and located within the SE¼ SE¼ of said Section 9.**
6. Place of Use **Sections 1-5, 8-12, 14-17 all within Township 37 North, Range 62 East, MDB&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled well equipped with pump and motor that will be connected to the City's distribution system.**
9. Estimated cost of works **\$500,000**
10. Estimated time required to construct works **the well has been completed to a depth of 745 feet hgs in March 2005. An additional one year is estimated to complete additional improvements.**
11. Estimated time required to complete the application of water to beneficial use **5 years**

12. Remarks: The well will serve the City of Wells, Nevada. The City's population is approximately 1,346 residents and about 700 residential equivalents. Three change applications are being filed concurrently with this application. The combined ROD for the three water right transfers is 1.4518 cfs. The City has an existing pump and motor that will be reused in the new well. The estimated ROD based on pump and aquifer characteristics is approximately 3.342 cfs (1500 GPM), which is more than the ROD that is available to be transferred. The intent of this application is two fold: 1) bring the new well into compliance for ROD and 2) increase Annual Duty by 250 million gallons annually.

By s/ Evan G. Fonger  
825 Railroad Street  
Elko, Nevada 89801

Compared gkl/sam lt/

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 48797, 48802, 48803, 60976, 62894, 70579, 72142, 72820, 72821 and 72822 shall not exceed 2552.16 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on any existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(Continued on Page 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.8902 cubic feet per second, but not to exceed 250.0 million gallons annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

November 3, 2008

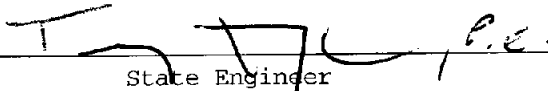
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

November 3, 2011

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,  
State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,  
this 3rd day of November, A.D. 2006

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_